

REMARKS

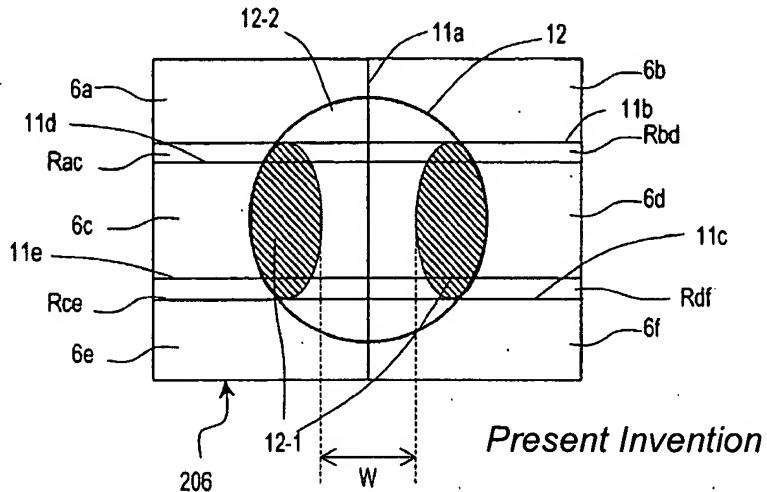
Claims 7-27 are now pending in the application. Claims 7, 16, 22 and 23 have been amended herein. Claims 26-27 have been newly added. Favorable reconsideration of the application, as amended, is respectfully requested.

I. REJECTION OF CLAIMS 7-23 UNDER 35 USC §102(e)/§103(a)

Claims 7, 11, 16, 17, 20 and 22-25 remain rejected under 35 USC §102(e) based on *Nagata et al.* Remaining claims 8-10, 12-15, 18, 19 and 21 again stand rejected under 35 U.S.C. §103(a) based on *Nagata et al.* in view of one or more secondary references. Applicant respectfully requests withdrawal of these rejections for at least the following reasons.

Claims 7 and 22:

FIG. 13

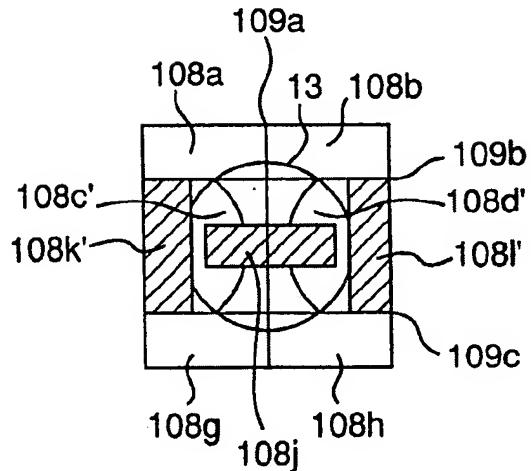


Claims 7 and 22 have been amended herein to clarify that "the light receiving area receives both the first type of reflected rays and the second type of reflected rays". Such light receiving area receiving both the first type of reflected rays and the second type of reflected rays are represented by areas 6c and 6d in Fig. 13 of the present application (reproduced above).

The Examiner relies on Fig. 12 of *Nagata et al.* (reproduced herein) as including area 108g corresponding to the "light receiving area" as recited in claims 7 and 22. (O.A., p. 3). However, as represented in Fig. 12 of *Nagata et al.* the area 108g does not receive both the first type of reflected rays and the second type of reflected rays as now recited in amended claims 7 and 22.

Fig. 12

Nagata et al.



Thus, the area 108g in *Nagata et al.* clearly does not represent the light receiving area recited in amended claims 7 and 22.

Additionally, claims 7 and 22 are amended to recite that "as measured in a second direction perpendicular to the first direction, the light receiving area is narrower than a width of the first type of reflected rays." According to this feature, the deviation of the TE signal, caused by the tilt of the optical disc, can be reduced (see, e.g., page 36, line 15 to page 37, line 11 of the present specification).

With reference to the areas 108c' and 108d' in Fig. 12 of *Nagata et al.*, it is shown that the width of the areas 108c' and 108d' is equal to the width of the first type of reflected rays. Accordingly, *Nagata et al.* also fails to teach the light receiving area being narrower than a width of the first type of reflected rays as recited in amended claims 7 and 22.

Claims 16 and 23:

Claims 16 and 23, as amended, recite that "as measured in a direction in which the first type of reflected rays are arranged, the non-light receiving area is narrower than a shortest distance between the first type of reflected rays".

In rejecting claims 16 and 23, the Examiner notes that it is shown in Fig. 12 of Nagata that the width of the non-reflecting area 108j is narrower than the distance between non-reflecting areas 108k' and 108l'. However, the distance between areas 108k' and 108l' corresponds to a longest distance between the first type of reflected rays.

Conversely, in the present invention as recited in amended claims 16 and 23 it is required that the non-light receiving area is narrower than a shortest distance between the first type of reflected rays. (Compare, e.g., Fig. 16 of the present application and Fig. 12 of *Nagata et al.*).

For at least the above reasons, applicants respectfully submit that *Nagata et al.* does not teach or render obvious the invention as recited in claims 7, 16, 22 and 23.

Nor does *Nagata et al.* teach or suggest the features recited in claims dependent therefrom. The secondary references have not been found to make up for the above-discussed deficiencies in *Nagata et al.*.

Applicants therefore respectfully request withdrawal of the rejections.

Claims 26 and 27:

Support for new claims 26-27 is found, for example, at page 36, line 15 to page 37, line 11 of the present specification. These claims are believed to be allowable by virtue of their dependency and based on the additional features recited therein.

II. CONCLUSION

Accordingly, all claims 7-27 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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